

MENOMINEE TRIBAL LEGISLATURE – REGULAR  
OCTOBER 7, 2010  
MENOMINEE TRIBAL OFFICE BOARD ROOM  
KESHENA, WI 54135  
**3:30 P.M. EXECUTIVE SESSION**  
5:00 P.M. REGULAR SESSION BEGINS

**MEMBERS PRESENT:**

Laurie A. Boivin, Tribal Chairwoman  
Randal Chevalier  
Lynnette A. Miller  
Myrna R. Warrington  
Lisa S. Waukau – *(Late in at 7:40 P.M.)*  
Bruce J. Pecore  
Kenneth A. Fish  
David A. Miller – *(Late in at 5:07 P.M.)*  
Rebecca D. Alegria

**1. Call to Order – Roll Call.**

Chairwoman Laurie Boivin called the meeting to order at 3:30 PM, and informed everyone that they were beginning with the Executive Session portion first. Roll Call was taken with a quorum present.

**2. Menominee Prayer.**

Legislator Alegria said the Menominee Prayer in the Menominee and English Language.

Chairwoman Boivin requested that the agenda be suspended to go into Executive Session.

**MOTION BY REBECCA ALEGRIA TO SUSPEND THE AGENDA AND GO TO ITEM NUMBER 36 AS PER LRP RULE 5.03 EXECUTIVE SESSION. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).**

**36. As per LRP Rule 5.03 – EXECUTIVE SESSION: (A) Legal – 1) Approval of Attorney Contract – John R. Wilhelmi; & 2) Approval of 1<sup>ST</sup>, 2<sup>ND</sup>, & 3<sup>RD</sup> Quarter Credit Card Reports; (B) Personnel; & (C) Gaming – 1) Draft Comments to the BIA; 2) Kenosha Project Update; & 3) MIGA Board Updates.**

**MOTION BY REBECCA ALEGRIA TO GO INTO EXECUTIVE SESSION AS PER LRP RULE 5.03. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).**

**\*\* EXECUTIVE SESSION WAS NOT RECORDED \*\***

**MOTION BY BRUCE PECORE TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).**

**MOTION BY REBECCA ALEGRIA TO GO BACK TO THE REGULAR AGENDA ITEM NUMBER 3 AT 5:00 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).**

**3. Public Comment Period.**

There were no public comments at this time.

**4. 1<sup>ST</sup> Consideration of Amendment to Ordinance No. 80-14 Canceling Recreational Leases to Tribal Members.**

**MOTION BY LYNNETTE MILLER TO APPROVE 1<sup>ST</sup> CONSIDERATION OF AMENDMENT TO ORDINANCE NO. 80-14 CANCELING RECREATIONAL LEASE REQUESTS AND SENDING IT TO PUBLIC**

HEARING ON OCTOBER 21, 2010 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (D. MILLER & WAUKAU).

5. 1<sup>ST</sup> Consideration of Amendment to Ordinance No. 81-18 & 07-32 Canceling Residential Leases to Tribal Members.

MOTION BY REBECCA ALEGRIA TO APPROVE 1<sup>ST</sup> CONSIDERATION OF MENOMINEE TRIBAL LEGISLATURE AMENDMENT TO ORDINANCE NO. 81-18 AND 07-32 CANCELING RESIDENTIAL LEASES AND SEND TO PUBLIC HEARING ON OCTOBER 21, 2010 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

6. 1<sup>ST</sup> Consideration of Ordinance No. 10-23 Residential Lease Requests to Tribal Members.

MOTION BY LYNNETTE MILLER TO APPROVE 1<sup>ST</sup> CONSIDERATION OF ORDINANCE NO. 10-23 RESIDENTIAL LEASE REQUESTS AND SEND IT TO PUBLIC HEARING ON OCTOBER 21, 2010 AT 4:30 P.M. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

7. 1<sup>ST</sup> Consideration of Ordinance No. 10-24 Recreational Lease Requests to Tribal Members.

MOTION BY REBECCA ALEGRIA TO APPROVE 1<sup>ST</sup> CONSIDERATION OF MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 10-24 RECREATIONAL LEASE REQUESTS AND SEND IT TO PUBLIC HEARING ON OCTOBER 21, 2010 AT 4:30 P.M. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

8. 10-Day Waiver Request(s).

There were no 10-day waiver request(s) made at this time.

9. Bid Recommendation for the Clinic EMS Renovation.

Chairwoman Boivin informed the Legislature that they have a revised bid, because she questioned the potential conflict of interest from the business listed at the bottom called "Home Care."

MOTION BY LYNNETTE MILLER TO APPROVE THE BID EVALUATION TEAM TO AWARD THE CLINIC EMS RENOVATION TO BADGERLAND BUILDINGS, INC. FOR \$349,700 AS BID TO INCLUDE USING THE MENOMINEE SUBCONTRACTORS C & L CONSTRUCTION, HARD ROCK SAWING & DRILLING, TOO TALL TRUCKING, HOME CARE, THE NATIVE AMERICAN SUBCONTRACTORS ARROWHEAD BUILDERS, INC. AND KJ'S CUSTOM FLOORING, AND UTILIZE THE HR DEPARTMENT AND CMN TRANS PROGRAM FOR ANY OTHER QUALIFIED WORKERS TO MEET OR EXCEED 15% GOAL FOR LABOR WITH APPROVAL TO USE \$52,652 FROM CLINIC THIRD PARTY RESERVE FUNDS FOR THE DIFFERENCE, WITH CONCURRENCE OF RURAL DEVELOPMENT / USDA. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 4 FOR, 3 OPPOSED (PECORE, WARRINGTON, & FISH), 1 ABSTENTION (ALEGRIA), AND 1 ABSENT (WAUKAU).

PLEASE NOTE: Before Chairwoman Boivin voted she requested clarification from Legal on any potential conflicts, and Attorney Kussel rendered there are none; therefore, she voted in favor of the motion to break the tie.

Legislator Fish qualified his opposition as follows: *"I opposed because I think that there should've been a little more homework done on the perceived conflict with the designer and who the other person was; I think that that's important, and I think without that why don't they take that money from their reserves, and I know that the facility is*

*going to serve the Menominee people, but I think that we need to take that extra measure to ensure that we're getting the best facility for our money, and for some reason we're paying more than the original bid."*

**Legislator Pecore qualified his opposition as follows:** *"I don't think that all the work was done in regards to negotiating possible negotiations prior to coming here with this bid especially when they came \$21,500 higher at that point. Yeah they should bring it to us this way, but you know they could've came and said, "hey listen we know that we're at this." We discuss it with them, and you know we gave them the time; we gave them the couple of days to try to lower their numbers so we could have used that money elsewhere. I think we could have used the \$21,500 elsewhere when we're crunching for money right now."*

**Legislator Warrington qualified her opposition as follows:** *"the appropriations should have been made, but also that it wasn't prepared very well and to come running in here at 5:00 and hand us additional information is poor planning."*

**Legislator Alegria qualified her abstention as follows:** *"A Menominee and Native American Business Home Care Construction is included in this motion."*

**10. Approval of FY' 2011 Menominee Fuel Station Budget.**

**MOTION BY BRUCE PECORE TO APPROVE THE FY' 2011 BUDGET FOR THE MENOMINEE FUEL STATION IN THE AMOUNT OF \$116,653.36. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

**11. Approval of the Transportation Agreement between Langlade County and MITW Department of Transit Services.**

**MOTION BY REBECCA ALEGRIA TO APPROVE THE TRANSPORTATION AGREEMENT BETWEEN LANGLADE COUNTY AND MENOMINEE INDIAN TRIBE OF WISCONSIN DEPARTMENT OF TRANSIT SERVICES, AND AUTHORIZE CHAIRWOMAN LAURIE BOIVIN TO SIGN AND DATE. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

Legislator Fish requested a future report where services could not be provided for one reason or another.

DOT Director, Shawn Klemens stated they do have a "no can do" tracking report, and he will submit that in his monthly report each month.

Legislator Alegria stated that is especially true for the Neopit and Zoar people, because she would prefer to shop in Antigo.

**12. Appoint Tribal Official to the Governance Coordinating Committee.**

**MOTION BY REBECCA ALEGRIA TO SUBMIT JEREMY PYATSKOWIT'S NAME AS A NOMINATE TO SERVE ON THE GOVERNANCE COORDINATING COMMITTEE. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (PECORE), AND 1 ABSENT (WAUKAU).**

**PLEASE NOTE:** Legislator Pecore did not qualify his abstention.

**13. Democratic Campaign Funding Request.**

The Tribe's State Lobbyist, Joseph Strohl requested the Legislature to participate with the Democratic Campaign funding utilizing the Tribe's PAC dollars.

Legislator Fish stated that the Lobbying Task Force will be asking for financial assistance for the get out the vote campaign, and suggested to deny the request to accommodate the Lobbying Task Force with funding for the campaign.

14. Set Treat or Treat Hours.

MOTION BY REBECCA ALEGRIA TO SET THE DATE AND HOURS FOR TRICK OR TREATING FOR SUNDAY, OCTOBER 31, 2010 FROM 2:00 P.M. – 5:00 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

15. Get Out the Vote Campaign.

This agenda item will be taken up in the Committee requests.

16. Resolution No. 10-\_\_\_ Place Land into Trust Lot 1, Vol. 2, Page 35.

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 10-54 REQUEST TO PLACE LAND INTO TRUST (*FOR LOT 1 OF CERTIFIED SURVEY MAP RECORDED OCTOBER 5, 1963 IN VOLUME 2 OF CERTIFIED SURVEYS ON PAGE 35, BEING A PART OF GOVERNMENT LOT 3 IN SECTION 30, TOWNSHIP 28 NORTH, RANGE 16 EAST, MENOMINEE COUNTY, WI*), AND AUTHORIZE CHAIRWOMAN LAURIE BOIVIN AND SECRETARY LYNNETTE MILLER TO SIGN, AND WAIVE THE READING. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

17. Resolution No. 10-\_\_\_ Place Land into Trust Lot 1, Vol. 3, Page 47.

PLEASE NOTE: Legislator Chevalier stepped out of the meeting at 5:54 P.M.

Legislator Alegria requested to use more Menominee language in place of the bear, moose, eagle, wolf, and crane in the heading of our Resolutions we need to be utilizing our Menominee Language more.

Chairwoman Boivin informed Legislator Alegria to send over the language for her to review how well it would fit, and if she agrees, she'll send it to the applicable personnel required.

MOTION BY MYRNA WARRINGTON TO APPROVE MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 10-55 REQUEST TO PLACE LAND INTO TRUST (*FOR LOT 1, VOLUME 3, PAGE 47 AS RECORDED WITH THE REGISTER OF DEEDS, THEREOF MENOMINEE COUNTY, WISCONSIN, BEING A PART OF LOT 1 OF CERTIFIED SURVEYS, VOLUME 2, PAGE 217 OF CERTIFIED SURVEYS, OF MENOMINEE COUNTY, WISCONSIN, AS RECORDED WITH THE REGISTER OF DEEDS THEREOF. MORE PARTICULARLY DESCRIBED AS LOCATED IN THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 23, TOWNSHIP 30 NORTH, RANGE 16 EAST, MENOMINEE COUNTY, WISCONSIN*), WAIVE THE READING, AND AUTHORIZE THE SECRETARY AND THE CHAIR TO SIGN. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (CHEVALIER & WAUKAU).

18. Resolution No. 10-\_\_\_ Place Land into Trust Lot 24, Vol. 2, Pages 92 & 92A.

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE TRIBAL RESOLUTION NO. 10-56 REQUEST TO PLACE LAND INTO TRUST (*FOR LOT 24 OF CERTIFIED SURVEY MAP RECORDED JULY 22, 1970, IN VOLUME 2 OF CERTIFIED SURVEYS ON PAGES 92 AND 92A BEING A PART OF GOVERNMENT LOT 2 IN SECTION 36, TOWNSHIP 28 NORTH, RANGE 16 EAST, MENOMINEE COUNTY, WI*), WAIVE THE READING, AND AUTHORIZE CHAIRWOMAN LAURIE BOIVIN AND SECRETARY LYNNETTE MILLER TO SIGN. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (CHEVALIER & WAUKAU).

19. Resolution No. 10-\_\_\_ Place Land into Trust Lot 48 in Council Hill Addition to Legend Lake.

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE NATION MENOMINEE TRIBAL LEGISLATURE RESOLUTION NO. 10-57 REQUEST TO PLACE LAND INTO TRUST (*FOR LOT 48 IN COUNCIL HILL ADDITION TO LEGEND LAKE, MENOMINEE COUNTY, WISCONSIN ACCORDING TO THE RECORDED PLAT THEREOF*), WAIVE THE READING, AND AUTHORIZE CHAIRWOMAN LAURIE BOIVIN AND SECRETARY LYNNETTE MILLER TO SIGN. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (CHEVALIER & WAUKAU).

20. Resolution No. 10-\_\_\_ Identifying Our Needs: A Survey of Elders.

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE INDIAN TRIBE OF WISCONSIN RESOLUTION NO. 10-58 IDENTIFYING OUR NEEDS: A SURVEY OF ELDERS, AUTHORIZE CHAIRWOMAN LAURIE BOIVIN AND SECRETARY LYNNETTE MILLER TO SIGN, AND WAIVE THE READING. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 2 ABSENT (CHEVALIER & WAUKAU).

21. Resolution No. 10-\_\_\_ Pancreatic Cancer Awareness Month.

PLEASE NOTE: Legislator Chevalier re-entered the meeting at 6:05 P.M.

MOTION BY REBECCA ALEGRIA TO APPROVE RESOLUTION NO. 10-59 PANCREATIC CANCER AWARENESS MONTH, AUTHORIZE CHAIRWOMAN LAURIE BOIVIN AND SECRETARY LYNNETTE MILLER TO SIGN, AND WAIVE THE READING. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (CHEVALIER), AND 1 ABSENT (WAUKAU).

22. Resolution No. 10-\_\_\_ Contracting with United States Department of Interior – Bureau of Indian Affairs.

MOTION BY MYRNA WARRINGTON TO *TABLE* RESOLUTION NO. 10-60 CONTRACTING WITH UNITED STATES DEPARTMENT OF INTERIOR – BUREAU OF INDIAN AFFAIRS. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

23. Resolution No. 10-\_\_\_ Amendments to the Menominee Indian Tribe of Wisconsin and the State of Wisconsin Gaming Compact of 1992.

MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE INDIAN TRIBE OF WISCONSIN RESOLUTION NO. 10-61 CONSENT TO AMEND TO STATE GAMING COMPACT TO INCLUDE THE CHANGE AS DISCUSSED IN EXECUTIVE SESSION SECTION 35 FOR EXHIBIT A, WAIVE THE READING, AND AUTHORIZE CHAIRWOMAN LAURIE BOIVIN AND LYNNETTE MILLER TRIBAL SECRETARY TO SIGN. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (D. MILLER), AND 1 ABSENT (WAUKAU).

PLEASE NOTE: Legislator D. Miller qualified his abstention as follows: *"I wasn't at the meeting when the change was discussed."*

24. Resolution No. 10-\_\_\_ Approval of Attorney Contract – John R. Wilhelmi.

MOTION BY REBECCA ALEGRIA TO APPROVE TRIBAL RESOLUTION NO. 10-53 APPROVAL OF ATTORNEY CONTRACT (*JOHN R. WILHELMI*) WITH CORRECTIONS AS DISCUSSED IN EXECUTIVE SESSION, WAIVE THE READING, AND AUTHORIZE CHAIRWOMAN LAURIE BOIVIN AND SECRETARY LYNNETTE MILLER TO SIGN. SECOND WAS MADE BY BRUCE PECORE. THE MOTION

**CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

**25. Other Business: Matters of an Immediate Nature that Cannot Wait Until the Next Meeting.**

**MOTION BY REBECCA ALEGRIA TO ENTERTAIN THE FOLLOWING UNDER AGENDA ITEM NUMBER 25 "OTHER BUSINESS: MATTERS OF AN IMMEDIATE NATURE THAT CANNOT WAIT UNTIL THE NEXT MEETING:" – 1) APPROVAL OF MENOMINEE NATION CHILDHOOD QUALITY IMPROVEMENT PLAN; 2) RESOLUTION NO. 10-62 UPDATE THE TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TIP); & 3) RESOLUTION NO. 10-63 ESTABLISHING A SLOW-NO-WAKE ZONE IN BALSAM ROW RESERVOIR ON THE WOLF RIVER. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

**1) Approval of Menominee Nation Childhood Quality Improvement Plan;**

**MOTION BY REBECCA ALEGRIA TO APPROVE THE MENOMINEE NATION EARLY CHILDHOOD QUALITY IMPROVEMENT PLAN BASED ON THE RECOMMENDATION FROM THE POLICY COUNCIL. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

**2) Resolution No. 10-62 Update the Tribal Transportation Improvement Plan (TIP); &**

**MOTION BY REBECCA ALEGRIA TO APPROVE RESOLUTION NO. 10-62 UPDATE THE TRIBAL TRANSPORTATION IMPROVEMENT PLAN (TIP), WAIVE THE READING, AND AUTHORIZE THE TRIBAL CHAIRWOMAN AND TRIBAL SECRETARY TO SIGN. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

**3) Resolution No. 10-63 Establish a Slow-No-Wake Zone in Balsam Row Reservoir on the Wolf River.**

**MOTION BY REBECCA ALEGRIA TO APPROVE MENOMINEE TRIBAL RESOLUTION NO. 10-63 IN SUPPORT OF ESTABLISHING A SLOW-NO-WAKE ZONE IN THE BALSAM ROW RESERVOIR ON THE WOLF RIVER, AUTHORIZE THE TRIBAL CHAIRWOMAN AND TRIBAL SECRETARY TO SIGN, AND WAIVE THE READING. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

**26. 1<sup>ST</sup> Consideration of Amendment to Ordinance No. 09-26 Dispute Resolution Regarding Menominee Tribal Housing Limited Partnerships # 5 & # 6.**

**MOTION BY BRUCE PECORE TO SEND AMENDMENT TO ORDINANCE NO. 09-26 DISPUTE RESOLUTION REGARDING MENOMINEE TRIBAL HOUSING LIMITED PARTNERSHIPS #5 AND #6 TO PUBLIC HEARING ON OCTOBER 21, 2010 AT 4:30 P.M. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

**27. 1<sup>ST</sup> Consideration of Ordinance No. 10-\_\_\_ Approval of Certain Actions Related to Menominee Indian Tribal Housing Limited Partnerships #5 and #6.**

This agenda item was approved on September 8, 2010, and listed in error on the agenda.

**28. 1<sup>ST</sup> Consideration of Ordinance 10-\_\_\_ Rules Related to Article XIII Businesses.**

**MOTION BY BRUCE PECORE TO ADOPT MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 10-25 RULES RELATED TO ARTICLE XIII BUSINESSES, AND MOVE IT TO PUBIC HEARING ON OCTOBER 21, 2010 AT 4:30 P.M. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

29. 1<sup>ST</sup> Consideration of Ordinance 10-\_\_\_ Menominee Preference in Contracting.

MOTION BY REBECCA ALEGRIA TO APPROVE 1<sup>ST</sup> CONSIDERATION OF MENOMINEE TRIBAL ORDINANCE NO. 10-26 MENOMINEE PREFERENCES IN CONTRACTING, AND SEND IT TO PUBLIC HEARING ON OCTOBER 21, 2010 AT 4:30 P.M. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

30. 1<sup>ST</sup> Consideration of Ordinance 10-\_\_\_ FY' 2011 Kenosha Budget.

MOTION BY BRUCE PECORE TO ADOPT 1<sup>ST</sup> CONSIDERATION OF MENOMINEE TRIBAL LEGISLATURE ORDINANCE NO. 10-27 FISCAL YEAR 2011 KENOSHA GAMING AUTHORITY BUDGET, AND SEND TO PUBLIC HEARING ON OCTOBER 21, 2010 AT 4:30 P.M. SECOND WAS MADE BY REBECCA ALEGRIA. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (FISH), AND 1 ABSENT (WAUKAU).

PLEASE NOTE: Legislator Fish qualified his abstention as follows: *"because it don't have no numbers in there, and I see what you're trying to do, but I think that we shouldn't get in the habit of passing a budget with no numbers."*

31. Approval of Minutes – September 16, 2010 – Regular.

MOTION BY MYRNA WARRINGTON TO APPROVE THE REGULAR MENOMINEE TRIBAL LEGISLATURE MEETING MINUTES OF SEPTEMBER 16, 2010 WITH ANY CORRECTIONS. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

32. Legislative Time on Task Reports.

MOTION BY REBECCA ALEGRIA TO SEND LY' 2010 NUMBER 41 TO THE LOBBYING TASK FORCE. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

MOTION BY REBECCA ALEGRIA TO SEND TIME ON TASK RECOMMENDATION NUMBER 42 – 46 OF OCTOBER 7, 2010 TO THE LOBBYING TASK FORCE. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 6 FOR, 1 OPPOSED (CHEVALIER), 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

PLEASE NOTE: Legislator Chevalier qualified his opposition as follows: *"I just don't believe that these issues should be just sent to the Lobbying Task Force, and I think they should've been discussed here first."*

33. Travel Authorization Requests.

MOTION BY LYNNETTE MILLER TO AUTHORIZE TRAVEL FOR LAURIE BOIVIN TO ATTEND THE DEPARTMENT OF ADMINISTRATION ANNUAL TRIBAL CONSULTATION MEETING ON OCTOBER 12, 2010 IN HAYWARD, WI AND TO THE WI DEPARTMENT OF ADMINISTRATION ANNUAL STATE – TRIBAL CONSULTATION INITIATIVE MEETING ON OCTOBER 13, 2010 IN HAYWARD, WI. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).

34. Committee Reports and Recommendations:

- a) Community Development Committee of September 14, 2010.
  - i. Request Inspection of Residence.

MOTION BY DAVID MILLER TO CONCUR WITH THE COMMUNITY DEVELOPMENT COMMITTEE RECOMMENDATIONS OF SEPTEMBER 14, 2010 TO RECOMMEND TO THE MENOMINEE TRIBAL

**LEGISLATURE TO: 1) INSPECT THE MARIE FLORING RESIDENCE IN ORDER TO SEE IF THE HOME IS LIVABLE AND SAFE ALLOWING THE MENOMINEE TRIBAL LEGISLATURE TO APPROPRIATE THE FUNDS, 2) ALLOW THE HOUSING DEPARTMENT TO BE THE MANAGER OF THAT HOME, 3) ALLOW THE HOUSING DEPARTMENT TO DETERMINE THE RENT BY FAIR MARKET VALUE, AND 4) ALLOW MR. GEORGE OTRADOVEC PRIORITY IN RENTING THE HOME. NO SECOND NECESSARY. *THE MOTION IS DEFEATED: 0 FOR, 7 OPPOSED (PECORE, WARRINGTON, L. MILLER, CHEVALIER, ALEGRIA, D. MILLER, & FISH), 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).***

**PLEASE NOTE: All Legislators did not qualify their oppositions.**

**b) Human Services Planning Committee of September 21, 2010.**

**i. Request to Not Support Creation of a Regional Health Board.**

**MOTION BY RANDAL CHEVALIER TO CONCUR WITH THE MENOMINEE TRIBE / COUNTY HUMAN SERVICES PLANNING COMMITTEE RECOMMENDATIONS OF SEPTEMBER 21, 2010 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE THAT WE (*THE MENOMINEE TRIBE / COUNTY HUMAN SERVICES PLANNING COMMITTEE*) DO NOT SUPPORT THE CONCEPT OF A REGIONAL HEALTH BOARD. NO SECOND NECESSARY. THE MOTION CARRIED: 4 FOR, 2 OPPOSED (FISH & WARRINGTON), 1 ABSTENTION (PECORE), AND 1 ABSENT (WAUKAU).**

**PLEASE NOTE: Legislator Warrington qualified her opposition as follows:** *"I think it's a shame in this day and age when we have to keep meeting with County and everybody, and what just happened the other day about how much money they need. A lot of it has to do with healthcare, and Dr. Annette was there at that MAST meeting, and she's the one that actually talked about what a good idea that would be to have a Regional Health Board, and the idea was behind the Lobbying to try to help increase funding to this area, and I think it's a misunderstanding of whoever discussed it maybe it should have been presented a little better, but I think they should have went along with it, because it would have been a good group to be representing us to try to get more money to us for healthcare."*

**Legislator Fish qualified his opposition as follows:** *"You know we're the lowest funded region in the United States of America, and if there is a vehicle that can lobby for this region of 34 Tribes; it would be best suited that we support that endeavor, and I think that even though it went through the Health Board or wherever it went through the Tribe or the County; I don't believe that they had enough information in front of them to make an informed decision and to make a recommendation like that."*

**Legislator Pecore qualified his abstention as follows:** *"I didn't have enough information in regards to that, and I think we may be missing an additional opportunity to try and get more funding."*

**c) Health and Family Committee of September 21, 2010.**

**i. Request Approval of the Child Support Policies.**

**MOTION BY REBECCA ALEGRIA TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE RECOMMENDATIONS OF SEPTEMBER 21, 2010 TO RECOMMEND TO THE LEGISLATURE TO APPROVE THE CHILD SUPPORT POLICIES AS PRESENTED. NO SECOND NECESSARY. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**

**ii. Request to Not Support Creation of a Regional Health Board.**

**MOTION BY REBECCA ALEGRIA TO CONCUR WITH THE HEALTH AND FAMILY COMMITTEE RECOMMENDATIONS OF SEPTEMBER 21, 2010 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE THAT WE DO NOT SUPPORT THE CREATION OF A REGIONAL HEALTH BOARD. NO SECOND NECESSARY. THE MOTION CARRIED: 4 FOR, 3 OPPOSED (PECORE, FISH, & WARRINGTON), 0 ABSTENTIONS, AND 1 ABSENT (WAUKAU).**



**PLEASE NOTE: Legislator Warrington qualified her opposition as follows:** *"I think it's a shame in this day and age when we have to keep meeting with County and everybody, and what just happened the other day about how much money they need. A lot of it has to do with healthcare, and Dr. Annette was there at that MAST meeting, and she's the one that actually talked about what a good idea that would be to have a Regional Health Board, and the idea was behind the Lobbying to try to help increase funding to this area, and I think it's a misunderstanding of whoever discussed it maybe it should have been presented a little better, but I think they should have went along with it, because it would have been a good group to be representing us to try to get more money to us for healthcare."*

**Legislator Fish qualified his opposition as follows:** *"You know we're the lowest funded region in the United States of America, and if there is a vehicle that can lobby for this region of 34 Tribes; it would be best suited that we support that endeavor, and I think that even though it went through the Health Board or wherever it went through the Tribe or the County; I don't believe that they had enough information in front of them to make an informed decision and to make a recommendation like that."*

**Legislator Pecore qualified his opposition as follows:** *"I didn't have enough information in regards to that, and I think we may be missing an additional opportunity to try and get more funding."*

- d) **Tribal Forestry Committee of September 27, 2010.**
  - i. **Request Approval of the MTL Compliance Plan as Amended.**

**MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE TRIBAL FORESTRY COMMITTEE RECOMMENDATIONS OF SEPTEMBER 27, 2010 TO APPROVE THE MTL COMPLIANCE PLAN AS AMENDED AND FORWARD TO THE MENOMINEE TRIBAL LEGISLATURE FOR APPROVAL. NO SECOND NECESSARY. THE MOTION CARRIED: 3 FOR, 2 OPPOSED (FISH & WARRINGTON), 2 ABSTENTIONS (ALEGRIA & D. MILLER), AND 1 ABSENT (WAUKAU).**

**PLEASE NOTE: Legislator Fish qualified his opposition as follows:** *"We just got it at tonight's meeting, and I'd like some time to review it and I didn't get a chance to look at it adequately."*

**Legislator Warrington qualified her opposition as follows:** *"Yeah I would have like to seen a final copy, it says draft, and it's not even a final copy."*

**Legislator Alegria qualified her abstention as follows:** *"I'm looking at it right now, and I didn't have time to review it."*

**Legislator D. Miller did not qualify his abstention.**

- ii. **Request MTL to contact MTE regarding Excess Profits.**

**MOTION BY MYRNA WARRINGTON TO CONCUR WITH THE TRIBAL FORESTRY COMMITTEE RECOMMENDATIONS OF SEPTEMBER 27, 2010 TO REQUEST THAT THE MENOMINEE TRIBAL LEGISLATURE CONTACT MENOMINEE TRIBAL ENTERPRISE TO DISCUSS WHAT IS AVAILABLE IN TERMS OF EXCESS PROFITS; AND RECOMMEND THAT THOSE EXCESS PROFITS BE DISTRIBUTED TO THE TRIBAL MEMBERS. NO SECOND NECESSARY. THE MOTION CARRIED: 6 FOR, 0 OPPOSED, 1 ABSTENTION (L. MILLER), AND 1 ABSENT (WAUKAU).**

**PLEASE NOTE: Legislator L. Miller qualified her abstention as follows:** *"Well I'm not sure, because it says: 'and recommend that those excess profits be distributed to Tribal members,' and there's a process for it and it's not stated in that motion."*

**PLEASE NOTE:** Legislator Waukau entered the meeting at 7:40 P.M.

**MOTION BY KENNETH FISH THAT WE AUTHORIZE THE CHAIR TO SEND A LETTER TO MTE**

CHAIRMAN SHAWANOKASIC WITH CORRECTIONS, AND SET THE DATE TO MEET FOR SATURDAY, OCTOBER 23, 2010 AT 9:00 A.M. AT THE TRIBAL OFFICE BOARDROOM. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

- e) Lobbying Task Force of September 29, 2010.
  - i. Request to have a State/Federal Gubernatorial Candidate Rally and Allocation of Funds from Lobbying Budget.

MOTION BY KENNETH FISH TO CONCUR WITH THE LOBBYING TASK FORCE RECOMMENDATIONS OF SEPTEMBER 29, 2010 TO RECOMMEND TO THE MENOMINEE TRIBAL LEGISLATURE TO HAVE A STATE / FEDERAL GUBERNATORIAL CANDIDATE RALLY ON OCTOBER 16 OR 21, 2010 AND REQUEST AUTHORIZATION FOR UP TO \$3,000 TO BE ALLOCATED OUT OF THE LOBBYING BUDGET FOR THE EVENT. NO SECOND NECESSARY. *THE MOTION IS DEFEATED*: 0 FOR, 8 OPPOSED ( FISH, D. MILLER, ALEGRIA, CHEVALIER, L. MILLER, WARRINGTON, WAUKAU, AND PECORE), 0 ABSTENTIONS, AND 0 ABSENT.

MOTION BY KENNETH FISH THAT WE APPROPRIATE \$3,000 FOR THE GET OUT TO VOTE (GOTV) CAMPAIGN, AND IT WOULD INCLUDE WHATEVER THE LOBBYING TASK FORCE WOULD SCHEDULE OUT OF CONTINGENCY. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

35. 2010 Legislative Goals Progress Reports.

The Legislature updated each other on the progress of their assigned Legislative goals and progress reports.

36. As per LRP 5.03 – EXECUTIVE SESSION: (A) Legal – 1) Approval of Attorney Contract – John R. Wilhelmi; & 2) Approval of 1<sup>ST</sup>, 2<sup>ND</sup>, & 3<sup>RD</sup> Quarter Credit Card Reports; (B) Personnel; & (C) Gaming – 1) Draft Comments to the BIA; 2) Kenosha Project Update; & 3) MIGA Board Updates.

MOTION BY BRUCE PECORE TO GO BACK INTO EXECUTIVE SESSION. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 8 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 0 ABSENT.

**\*\* *EXECUTIVE SESSION WAS NOT RECORDED* \*\***

MOTION BY DAVID MILLER TO COME OUT OF EXECUTIVE SESSION. SECOND WAS MADE BY BRUCE PECORE. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

- (A) Legal
  - 1) Approval of Attorney Contract – John R. Wilhelmi; &

MOTION BY MYRNA WARRINGTON TO APPROVE THE ATTORNEY CONTRACT FOR JOHN WILHELMI WITH CHANGES. SECOND WAS MADE BY LYNNETTE MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

- 2) Approval of 1<sup>ST</sup>, 2<sup>ND</sup>, & 3<sup>RD</sup> Quarter Credit Card Reports;

MOTION BY LISA WAUKAU TO *TABLE* THE CREDIT CARD REPORT UNTIL OCTOBER 21, 2010. SECOND WAS MADE BY DAVID MILLER. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).

**(B) Personnel; &**

There was no motion made after coming out of Executive Session.

**(C) Gaming**

**1) Draft Comments to the BIA;**

**MOTION BY MYRNA WARRINGTON TO APPROVE THE DRAFT OF THE BIA COMMENTS WITH THE CORRECTIONS AND ADDITIONS FROM THE LEGISLATURE. SECOND WAS MADE BY KENNETH FISH. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).**

**2) Kenosha Project Update; &**

There was no motion made after coming out of Executive Session.

**3) MIGA Board Updates.**

**MOTION BY LISA WAUKAU TO SET A SPECIAL MEETING WITH THE MIGA BOARD FOR OCTOBER 25, 2010 AT 5:30 P.M. AT THE CASINO WITH THE AGREED UPON AGENDA ITEMS. SECOND WAS MADE BY MYRNA WARRINGTON. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).**

**MOTION BY MYRNA WARRINGTON TO REVISIT AGENDA NUMBER 14, "SET TREAT OR TREAT HOURS." SECOND WAS MADE BY LISA WAUKAU. *THE MOTION IS DEFEATED*: 2 FOR, 5 OPPOSED (PECORE, FISH, L. MILLER, D. MILLER, & CHEVALIER), 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).**

**PLEASE NOTE: Legislator Waukau qualified her vote as follows:** *"I'm in favor of this motion, because the day is too long for the down ground people and three (3) hours is way too long, it's a Packer game, and people get very upset when there is a Packer game on and you have Trick or Treats going on."*

**Legislator Warrington qualified her vote as follows:** *"I've heard from a lot of Elder's and all the people that live in that area too about the length of time that takes and the cost, because there are many people that get hit with the costs, and the kids are done in two (2) hours anyway."*

**37. Adjournment.**

**MOTION BY BRUCE PECORE/KENNETH FISH TO ADJOURN. THE MOTION CARRIED: 7 FOR, 0 OPPOSED, 0 ABSTENTIONS, AND 1 ABSENT (ALEGRIA).**

Meeting adjourned at 8:45 P.M.

Respectfully submitted by,



Debra Bowman, Recorder/Transcriber  
**EXECUTIVE SECRETARY, CHAIRMAN'S OFFICE**